

**Minutes of the Meeting of The
New Jersey Maritime Pilot & Docking Pilot Commission
October 16, 2014**

The regular meeting of The New Jersey Maritime Pilot and Docking Pilot Commission was held on Thursday, October 16, 2014 at One Penn Plaza East, 9th Floor, Newark, NJ 07105.

Commissioner Stapleton called the meeting to order at 10:05am.

Open Public Meetings Statement

Pledge of Allegiance

Roll Call

Commissioner Timothy J. Dacey (present); Commissioner Brian McEwing (absent); Commissioners Charles E. Stapleton (present); Commissioner Charles Wowkanech (present).

Peter Simon, Esq. and Tyler Yingling, Esq. from the Governor's Authorities Unit participated in the meeting via teleconference.

Approval of the September 16, 2014 Teleconference Meeting
Minutes

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey to approve the minutes of the September 16, 2014 teleconference meeting minutes. All voted in favor.

Resolution #14-26 to approve the September/October Treasurers
Report

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to pass Resolution #14-26 to approve the September/October Treasurers report. All voted in favor.

Acting Executive Director Report

Ms. Stuckey met with the Law Firm of Kayode Agunbiade, LLC to begin the process of the FY14 Audit of the Commission's financial records. As in past years they are awaiting the receipt of the year-end figures from DOT. The auditors plan to complete the audit by the first week of November. Ms. Stuckey will schedule a teleconference meeting for the Audit Committee to review the findings. She anticipates including a resolution on the agenda for the November 18, 2014 regular meeting for the Commission to vote on.

Captain Dennis Wheeler retired from the New York Sandy Hook Pilots Association on September 30, 2014. Captain Thomas Walsh is the new New York President.

The Commission received a letter from Captain Richard Schoenlank. The letter discusses the Coast Guard's amendments to the Final Rule to implement the International Convention of Standards of Training Certification and Watchkeeping for Seafarers. The change that directly affects the Commission is the move from a one year to a two year medical certification. Ms. Stuckey suggested that the Commission consider removing the wording on the annual report form that requires a pilot to notify the Commission of the date they submitted their physical to the Coast Guard. After discussion, it was determined that the form will not be altered. Ms. Stuckey will keep track of the dates and note each pilots file and annual paperwork.

The pilots will meet with the Coast Guard regarding the recent issues surrounding the Ebola outbreak. There is a concern that even though they are tracking the vessels progress and will red flag a vessel that has visited any of the five infected areas there is no mechanism in place to screen the crew members. A member of a crew may join the ship at any point during its transit that visited or came from one of the affected areas. The pilots have asked the Coast Guard if there is a way they could vet the crew prior to the vessel entering the port. They were advised that it is a jurisdictional issue between the Coast Guard and the CDC. Since the CDC handles issues with crew no additional conditions of entry can be established by the Coast Guard. The pilots intend to speak with the Coast Guard about establishing criteria for them to vet the crew. Ms. Stuckey has advised the pilots that the Commission will support any decisions they make in determining if a vessel is unsafe for them to board. She will also participate in the conference call meetings that are to take place on Friday, November 16, 2014.

Commissioner Dacey suggested that Ms. Stuckey send a letter to the State Health Commission to advise them of the issue.

The Commissioners were given copies of a Policy and Procedure statement issued by the New York Commission regarding post incident drug testing. The statement mirrors the Commission's newly adopted regulations regarding post incident drug testing.

Ms. Stuckey attended Port Industry Day on October 7, 2014. This conference is one of the few that brings all the players in the shipping industry together to discuss joint issues. The theme of the conference was "A Stronger Region a Stronger Port." The keynote speaker was Commissioner William Doyle from the Federal Maritime Commission. The panel discussions focused on how to prepare for the post Panamax larger vessels. Several options were discussed to better equip our ports to handle the larger vessels. The top five suggestions were: better chassis management; better truck management; integrated port community system utilization; coordination of terminal gate hours and the use of RFIDs to measure and report truck movements. There is also a concern regarding a potential truck driver shortage. The conference was well attended with the promise of all entities working together to ensure our ports are ready and equipped to handle the post Panamax vessels.

Ms. Stuckey will travel to Manhattan to meet with Commissioner Carmine Ragucci and Frank Keane to discuss issues that affect both Commissions on Thursday, October 21, 2014. She and Frank Keane will then work together to address the issues and present recommendations to their individual Commissions.

Ms. Stuckey will attend the Port Authority's annual Economic Briefing on October 29, 2014. The briefing will be held at the legal center in downtown Newark. If anyone is interested in attending, please let Ms. Stuckey know and she will make the appropriate RSVP's.

Ms. Stuckey reminded the Commissioners that the dead-line to complete their on-line ethics training is November 10, 2014.

Public Comment

Comment from Captain Robert Flannery, President Metro Pilots:

Captain Flannery advised the Commission that the Deep Draft Committee published an updated advisory. A copy of the advisory was given to each Commission and he went over the changes.

Comments from Captain Richard J. Schoenlank, President The New Jersey Sandy Hook Pilots Association:

The Deep Draft Committee's advisory is published on the Homeport and Maritime Association's Websites. The pilots are also working to see if they can get in included in the VTS Manual.

Captain Schoenlank expressed his gratitude to all involved in getting the buoys in the Sandy Hook Channel moved so quickly.

There will be an American Pilot's Association convention in Houston the week of October 20, 2014.

Committee Reports

A. Apprentice Selection Committee:

Ms. Stuckey informed the Commission that the Committee came up with a solid list of ten ranked candidates and four alternates. The resolution for the Commission to ratify the list is on today's agenda.

B. Investigation Committee:

- I. **MSC Rania** - February 2, 2014. This incident is still under investigation.
- II. **Wanderer** - March 18, 2014. This incident is still under investigation.
- III. **CSAV Lonconillia** - May 16, 2014. This incident is still under investigation.
- IV. **Port Richmond** - May 29, 2014. This incident is still under investigation.
- V. **STI Beryl** - June 14, 2014. This incident is still under investigation.
- VI. **Puccini** - August 18, 2014. This incident is still under investigation.
- VII. **Bremen Express** - October 3, 2014. This incident is still under investigation.
- VIII. **Hangin Newport** - October 4, 2014. This incident is still under investigation.

Swearing in of Captain David J. Graves as a First Grade Pilot

Resolution #14-25 was passed at the September 16, 2014 meeting to upgrade Captain David J. Graves to a First Grade Pilot.

Captain Graves was issued the Oath by Commissioner Stapleton.

Resolution #14-27 to approve the Maritime Pilot Apprentice Selection List

Commissioner Stapleton thanked Ms. Stuckey for her work on the Committee. He explained that the New Jersey Commission does not have a full Board and there was no Commissioner available to serve on the Committee. Ms. Stuckey as the Acting Executive Director filled in while continuing her normal workload.

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to approve the Maritime Pilot Apprentice Selection List.

All voted in favor.

Resolution #14-28 to approve the appointment of a Maritime Pilot Apprentice

The Commission received a letter from the Sandy Hook Pilots Association requesting that they be allowed to call the next pilot on the Apprentice Selection List into duty.

The Commission reviewed and approved the request.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey to appoint James P. Britton as a Maritime Pilot Apprentice.

All voted in favor.

Mr. Britton will attend the Commissioner's December 16, 2014 regular meeting for a final review before receiving his Certificate of Appointment.

Resolution #14-29 to set the meeting dates for calendar year 2015

Per the attached schedule, the Commissioners agreed to continue to meet on the third Tuesday of each month. Each meeting will commence at 10:00am and take place at the Commissions Headquarters at One Penn Plaza East, Newark, NJ.

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech to approve Resolution #14-29 to set the meeting dates for calendar year 2015.

All voted in favor.

Resolution #14-30 to appoint an Executive Director.

A motion was made by Commissioner Wowkanech and seconded by Commissioner Dacey to approve Resolution #14-30 to appoint Ms. Andre M. Stuckey as the Commission's Executive Director effective November 1, 2014.

All voted in favor.

Old Business

- A. Masters on Cruise Vessels utilizing the Auto Pilot.
This item has been carried.

Executive Session

WHEREAS, the Open Public Meetings Act provides that a public body such as The New Jersey Maritime Pilot and Docking Pilot Commission may meet in closed session to discuss legal and personnel matters, and

WHEREAS, the Commission desires to meet in closed session to discuss such matters.

NOW THEREFORE, be it resolved that the Commission shall at this time meet in closed session to discuss such matters the substance of the closed session would be disclosed publicly only if it would not warrant an invasion of privacy or constitute a breach of the attorney client privilege.

A motion was made by Commissioner Dacey and seconded by Commissioner Wowkanech that the Commission go into Executive Session.

All voted in favor.

The Commission went into Executive Session at 11:42am.

Return to Public Session

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton that the Commission return to Public Session.

All voted in favor.

The Commission returned to Public Session at 12:51pm.

Change of November Meeting Date

The November 2014 regular meeting will be changed from November 18, 2013 to November 13, 2014. Ms. Stuckey will make the proper notifications.

Adjournment

A motion was made by Commissioner Dacey and seconded by Commissioner Stapleton that the meeting be adjourned. All voted in favor.

The meeting was adjourned at 12:52pm.